SINGLE BENCH (3)

100/-

(5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.NO. 3824 /2006

PETITIONER — Smt. Foolkunwar Pendro Aged about 39 years, W/o. Shri Dinesh Kumar Pendro R/o. Block Colony, Marwahi, Distt- Bilaspur (C.G.)

VERSUS

RESPONDENTS

1) State of Chhattisgarh, Through the Secretary, Adim Jaati Tatha Anusuchit Jati Vikas Vibhag (Tribal Welfare Department), D.K.S. Bhawan, Mantralaya, Raipur (C.G.)

2) Assistant Commissioner, Composite Building, Bilaspur (C.G.)

3) Block Educational Officer, Marwahi Tehsil – Marwahi, District Bilaspur (C.G.)

4) Principal, Government Girls Higher Secondary School, Marwahi, District Bilaspur (C.G.)

5) Subhash Bhagat S/o- not known Aged about 40 years, Personal Assistant of Tribal Minister Shri Ganesh Ram Bhagat, D.K.S. Bhawan Mantralaya Raipur (C.G.)

P.R. No. 3885/06 Presented by Shri R.K. Dubey dated 24/7/06

RECEIVED-COPY 24/7/06 CLERK TO A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक WP 3824/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेशकमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.8.2006

Shri Anand Kumar Tiwari, Advocate for the petitioner.

Shri Sumesh Bajaj, Govt. Advocate for the State on advance copy.

Heard.

By this petition the petitioner, who is presently working as Hostel Superintendent in Government Higher Secondary School, Marwahi, District Bilaspur, has challenged her transfer order dated 7.7.2006 (Annexure P-10) whereby she has been transferred to Government Middle School, Andhiyarkoh, Block Gaurela, District Bilaspur.

The main grievance of the petitioner is that vide order dated 5.9.2005 she has been transferred to the present place of posting i.e. Superintendent, Govt. Girls Higher Secondary School, Marwahi in place of Smt. Santoshi Ekka. But, the charge of the post was not given to the petitioner, therefore, she moved a representation and ultimately, she was able to take the charge only on 20.2.2006. Now, again within a short span of 5 months, she has been transferred at the behest of respondent No.5, whereas as per policy, the petitioner was transferred at a place where her husband namely Shri Dinesh Kumar Pendro is working as Assistant Teacher in Primary School, Marwahi.

Therefore, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, he be directed to decide the same in accordance with law, to which Shri Bajaj, learned Govt. Adv. for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation

P.T.O.

XI-HC-78

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

to respondent No.1 raising all the grievances within 10 days from today along with copy of this petition and in turn, respondent No.1 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the grievances raised by the petitioner.

In the meantime, till the decision of the representation, the petitioner should not be relieved, if already not relieved.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2983/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C.Bhadoo
Judge

Roshan/-

P.T.O.